

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

JOSEPH ARTHUR RODRIGUEZ,

No. C 05-5068 SBA (PR)

Plaintiff,

**ORDER DIRECTING UNITED STATES
MARSHAL TO PERSONALLY SERVE
DEFENDANT MICHAEL S. EVANS
PURSUANT TO FRCP 4(e)(2)**

v.

M. S. EVANS, et al.,

Defendant.

This Order concerns the matter of service upon Defendant Michael S. Evans, identified by Plaintiff as a warden at Salinas Valley State Prison (SVSP).


Good cause appearing therefor, the United States Marshal is hereby ORDERED to attempt to effect personal service upon Defendant Evans. The United States Marshal shall serve Defendant Evans "personally" or serve an agent of Defendant Evans "authorized by appointment or by law to receive service of process." Fed. R. Civ. P. 4(e)(2).

The Clerk shall provide the United States Marshal with the necessary summons and copies of: (1) the complaint (docket no. 1) as well as copies of all attachments thereto; and (2) a copy of this Order. The United States Marshal shall attempt personal service at that address within **fourteen (14) days**. The Clerk shall include on the summons form, USM 285, the following special instructions:

Pursuant to Rule 4(e)(2), the United States Marshal shall serve Warden M. S. Evans "personally" or serve an agent of Warden M. S. Evans "authorized by appointment or by law to receive service of process." Fed. R. Civ. P. 4(e)(2). The address for such service shall be at Folsom State Prison, 300 Prison Road, Represa, CA 95671.

IT IS SO ORDERED.

DATED: 1/26/09


SAUNDRA BROWN ARMSTRONG
United States District Judge

1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA
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5

6 RODRIGUEZ,

Case Number: CV05-05068 SBA

7 Plaintiff,

CERTIFICATE OF SERVICE

8 v.

9 EVANS et al,

10 Defendant.
11 _____/

12 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court,
13 Northern District of California.

14 That on January 27, 2009, I SERVED a true and correct copy(ies) of the attached, by placing said
15 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said
16 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located
17 in the Clerk's office.

18 Joseph Arthur Rodriguez K66400
19 California Correctional Institution
P.O. Box 1902
Tehachapi, CA 93581

20 Dated: January 27, 2009

21 Richard W. Wieking, Clerk
22 By: LISA R CLARK, Deputy Clerk
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